

- undated outline for Block deposition with attachments of documents and records to be used for examination and cross-examination (WP)
- Correspondence
 - 8-10-98 correspondence from BEW to GMM cc'd JB w/ encl (A/CP)
 - 7-1-98 correspondence from BEW to GMM with attachment (A/CP)
 - 5-18-98 correspondence from BEW to SVE with attachment (A/CP)
 - 3-5-98 correspondence from BEW to CR with attachment (A/CP)
 - 2-10-98 BEW to CR with attachment (A/CP)
 - 2-2-98 BEW to CR with attachment (A/CP)
 - 1-27-98 BEW to CR with attachment (A/CP)
 - 1-20-98 BEW to CR with attachment (A/CP)
 - 12-23-97 BEW to CR (A/CP)
 - 11-4-97 BEW to CR with attachment (A/CP)
 - 11-4-97 three page fax Shannon Zeko to BEW (A/CP)
 - 10-30-97 four page facsimile from BEW to CR (A/CP)
 - 10-27-97 twelve page facsimile from CR to BEW (A/CP)
- Attorney notes
 - undated miscellaneous handwritten notes (WP)
 - 11-4-97 handwritten notes of BEW (WP)
 - 10-28-97 Wood & Francis internal document (WP)

FILED

10 2000

PEGGY B. DEANS, CLERK
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF N.C.

BOX 96W342I 129

- Miscellaneous Documents
 - 1/19/99 copy of handwritten note from Rhonda Peditto to Julie Bell with attachment of check copies (A/CP)
- Attorney Notes
 - 12/10/98 draft letter from BEW to Holmes P. Hardin with handwritten notes on blue Post-Its from Julie Bell to BEW attached (WP)
 - 3/2/99 Memo from BEW to Julie L. Bell (A/CP)
 - 3/13/98 draft letter from BEW to Joe McLeod with enclosures which was not delivered (WP)
 - Miscellaneous handwritten notes BEW (WP)
 - 3/3/98 handwritten notes BEW (WP)
 - 2/3/98 handwritten notes BEW (WP)
 - 2/12/97 handwritten notes BEW (WP)
 - 12/10/97 handwritten notes BEW (WP)
 - Undated payment log -- IHI Taylor (WP)
 - Miscellaneous floppy disc from Wood & Francis (WP)
 - 7/15/97 memo from BEW to John Austin (WP)
 - 10/30/97 handwritten notes BEW (WP)

- 11/5/97 Julie Bell copy of email transmission from BEW to Julie Bell (WP)
- 10/7/97 handwritten notes BEW (WP)
- 7/8/97 handwritten notes BEW (WP)
- 8/27 handwritten notes BEW (WP)
- 8/26/97 handwritten notes BEW (WP)
- 8/22/97 handwritten notes BEW (WP)
- 8/12/97 handwritten notes BEW (WP)
- 8/8/97 handwritten notes BEW (WP)
- 8/4/97 handwritten notes BEW (WP)
- 8/5/97 handwritten notes BEW (WP)
- 7/28/97 handwritten notes BEW (WP)
- 7/29/97 handwritten notes BEW (WP)
- 7/25/97 handwritten notes BEW (WP)
- 7/10/97 handwritten notes BEW (WP)
- 2/29/95 handwritten notes BEW (WP)
- 7/25/97 handwritten notes BEW (WP)
- 7/23/97 handwritten notes BEW (WP)
- 7/22/97 handwritten notes BEW (WP)
- 7/15/97 handwritten notes BEW (WP)
- 7/16/97 handwritten note from SVE (WP)
- 7/10/97 bank account inquiry Dobb & Weldon (WP)
- 7/10/97 handwritten notes (WP)
- 7/9/97 handwritten notes BEW (WP)
- Undated Defendant List of Defendants in the Cedric Dobbins, et al. matter with corresponding addresses (WP)
- 7/9/97 Ginny Marshall copy of email transmission from Ginny Marshall to John Austin (A/CP)
- 7/7/97 handwritten notes BEW (WP)
- 7/3/97 handwritten notes BEW (WP)
- 7/1/97 handwritten notes BEW (WP)
- 7/1/97 draft Temporary Restraining Order (WP)
- 6/30/97 handwritten notes BEW (WP)
- 6/26/97 handwritten notes BEW (WP)
- Undated Subpoena list (WP)
- 7/11/97 invoice of Turner Printing Services, Inc. (WP)

BOX 96W342I 130

- Correspondence 3
 - 5/9/97 BEW to SVE with enclosure cc JB (A/CP)
 - 5/8/97 three-page fax BEW to SVE (A/CP)
 - 5/8/97 three-page fax BEW to JB (A/CP)
 - 5/8/97 seven-page fax BEW to SVE (A/CP)
 - 5/8/97 seven-page fax BEW to JB (A/CP)
 - 5/6/97 three-page fax BEW to SVE (A/CP)
 - 5/6/97 three-page fax BEW to JB (A/CP)
 - 5/6/97 three-page fax BEW to DH (A/CP)

- 5/6/97 facsimile BEW to SVE (A/CP)
- 5/6/97 facsimile BEW to SVE cc B. Davis Horn, JAB, CTF and FDB (A/CP)
- 5/6/97 three-page fax BEW to B. Davis Horn, Jr., Esq. (A/CP)
- 5/6/97 BEW to SVE (A/CP)
- 5/6/97 BEW to JAB (A/CP)
- 5/6/97 three-page fax BEW to FDB (A/CP)
- 5/6/97 BEW to SVE with enclosure (A/CP)
- 5/5/97 15-page fax BEW to FDB – partial copy (A/CP)
- 5/5/97 15-page fax BEW to SVE – partial copy (A/CP)
- 5/5/97 BEW to SVE with enclosures (A/CP)
- 5/1/97 two-page fax Jeff Trendel to BEW (A/CP)
- 4/30/97 two-page fax Jeff Trendel to BEW (A/CP)
- 4/29/97 two-page fax Jeff Trendel to BEW (A/CP)
- 4/29/97 BEW to SVE with cc JB with enclosures (A/CP)
- 4/25/97 three-page fax BEW to SVE, DH and Jeff Trendel (A/CP)
- 4/28/97 six-page fax BEW to Jeff Trendel (A/CP)
- 4/24/97 three-page fax Jeff Trendel to BEW (A/CP)
- 4/23/97 five-page fax Jeff Trendel to BEW (A/CP)
- 4/23/97 11-page fax BEW to SVE – partial copy (A/CP)
- 4/21/97 BEW to SVE with enclosure (A/CP)
- 4/18/97 BEW to SVE with enclosures (A/CP)
- 4/18/97 three-page fax BEW to JB (A/CP)
- 4/18/97 IHI Memo DH to BEW re IHI not ship-verified orders and analysis (A/CP)
- 4/17/97 IHI Memo DH to BEW (A/CP)
- 4/14/97 three-page fax Jeff Trendel to BEW (A/CP)
- 4/18/97 BEW to SVE with enclosures (A/CP)
- 4/17/97 seven-page fax BEW to Alan Woodlief (A/CP)
- 4/17/97 fax correspondence BEW to Alan Woodlief (WP)
- 4/17/97 BEW to SVE with enclosures (A/CP)
- Correspondence 4
 - 4/3/98 Robert Hukezalie to BEW with attachment (A/CP)
 - 7/21/98 five-page fax BEW to Robert Hukezalie (A/CP)
 - 5/18/98 BEW to SVE with enclosure (A/CP)
 - 5/18/98 BEW to GMM with enclosure cc JB (A/CP)
 - 2/24/98 BEW to SVE cc JB and CR (A/CP)
 - 2/10/98 two-page fax CR to BEW handwritten notes BEW (A/CP)
 - 2/5/98 BEW to SVE with enclosures (A/CP)
 - 10/8/97 BEW to SVE cc JB (A/CP)
 - 6/18/97 BEW to SVE with enclosures (A/CP)
 - 6/17/97 six-page fax BEW to SVE (A/CP)
 - 6/11/97 BEW to SVE with enclosures (A/CP)
 - 6/10/97 facsimile BEW to SVE cc JB (A/CP)
 - 6/2/97 30-page fax BEW to SVE – partial copy (A/CP)
 - 6/10/97 four-page fax Jeff Trendel to BEW (A/CP)
- IHI v. First Data

- Undated miscellaneous note attached to file (WP)
- 2/8/98 Memo from R. Gene Davis to BEW (A/CP)
- 3/12/98 draft letter from BEW to Kiran H. Metha, Esq. (WP)
- 3/12/98 draft letter from BEW to JB (WP)
- 3/12/98 draft letter from BEW to Johnny M. Loper, Esq. (WP)
- Undated draft Plaintiff's Second Set of Interrogatories to Defendants First Data in the IHI v. First Data, et al. litigation (WP)
- Undated Motion to Compel in the IHI v. First Data litigation (WP)
- Undated draft Calendar Request (WP)
- 6/25/97 draft letter from BEW to Sallie Kearns, Trial Court Administrator (WP)
- 3/31/97 BEW to SVE (A/CP)
- 3/16/97 16-page fax BEW to SVE (A/CP)
- 3/25/97 four-page fax BEW to SVE (A/CP)
- 3/25/97 facsimile BEW to SVE (A/CP)
- 3/25/97 six-page fax BEW to SVE (A/CP)
- 3/13/97 11-page fax Linda Halstead to BEW (A/CP)
- 3/21/97 two-page fax Clark A. Jones, CPA to BEW re merchant processing update (A/CP)
- 3/21/97 two-page fax BEW to AW (A/CP)
- 3/20/97 facsimile BEW to SVE (A/CP)
- 3/20/97 four-page fax BEW to SVE (A/CP)
- 3/12/97 transcript of voice mail from Susan Kobel, IHI to BEW (A/CP)
- 3/11/97 13-page fax Clark Jones to BEW (A/CP)
- 3/10/97 BEW to SVE cc Clark Jones (A/CP)
- Research Re: Rule 52(a)(2)
 - Undated three North Carolina Court of Appeals decisions
- Attorney Notes
 - 11/15/98 handwritten notes BEW (WP)
 - 7/22/98 handwritten notes BEW (WP)
 - 6/22/98 handwritten notes BEW (WP)
 - 2/8/98 Memo Gene Davis to BEW with attachment (WP)(A/CP)
 - 1/29/98 handwritten notes BEW (WP)
 - Undated list of witnesses or individuals (WP)
 - 12/23/97 handwritten notes BEW (WP)
 - 10/15/97 transcript message from Kelvin Carvana(?) to BEW (WP)
 - Miscellaneous handwritten notes BEW (WP)
 - 6/16/97 handwritten notes BEW (WP)
 - 6/9/97 handwritten notes BEW (WP)
 - 6/10/97 handwritten notes BEW (WP)
 - 5/30/97 Memo Julie Bell to BEW with attachments (WP)(A/CP)
 - 5/6/97 handwritten notes BEW (WP)
 - 5/2/97 handwritten notes BEW (WP)
 - 4/25/97 handwritten notes BEW (WP)

- 4/24/97 handwritten notes BEW (WP)
- 4/23/97 transcript of message from Randy Dessau to BEW (WP)
- 4/18/97 transcript of message from Randy Dessau to BEW (WP)
- 4/18/97 transcript of message from Randy Dessau to BEW (WP)
- 4/24/97 transcript of message from Randy Dessau to BEW (WP)
- 4/17/97 handwritten notes BEW (WP)
- 4/15/97 handwritten notes BEW (WP)
- 4/18/97 handwritten notes BEW (WP)
- 4/9/97 handwritten notes BEW (WP)
- 4/11/97 transcript of message from Randy Dessau to BEW (WP)
- 4/11/97 transcript of message from DH to BEW (WP)
- Undated handwritten notes of GMM (WP)
- Undated miscellaneous notes GMM (WP)
- 4/3/97 handwritten notes BEW (WP)
- 4/2/97 handwritten notes BEW (WP)
- 4/2/97 handwritten notes BEW (WP)
- 4/1/97 handwritten notes BEW (WP)
- 4/1/97 handwritten notes BEW (WP)
- 3/31/97 handwritten notes BEW (WP)
- 3/21/97 four-page fax Steven McDermitt to BEW (A/CP)
- 3/20/97 handwritten notes BEW (WP)
- 3/17/97 handwritten notes BEW (WP)
- 3/13/97 handwritten notes BEW (WP)
- 3/11/97 handwritten notes BEW (WP)
- 3/10/97 handwritten notes (WP)
- S-1 Picked Up from Johnny Loper
 - 3/3/97 SEC Amendment to Form S-1 Registration Statement for International Heritage, Inc. with minor notations and edits
- Correspondence 2
 - 4/10/97 BEW to SVE with enclosures (A/CP)
 - 4/7/97 nine-page fax DH to GMM (A/CP)
 - 4/9/97 five-page fax BEW to DH – partial copy (A/CP)
 - 4/9/97 BEW to SVE with enclosures (A/CP)
 - 4/9/97 three-page fax BEW to Jeff Trendel (A/CP)
 - 4/8/97 three-page fax BEW to SVE (A/CP)
 - 4/8/97 two-page fax BEW to Jeff Trendel (A/CP)
 - 4/7/97 five-page fax GMM to Michael Decker, IHI (A/CP)
 - 4/7/97 five-page fax GMM to DH (A/CP)
 - 4/4/97 four-page fax BEW to SVE (A/CP)
 - Undated draft Affidavit of Stanley Van Etten in the IHI/First Data litigation (WP)
 - 4/4/97 four-page fax BEW to Dawn McIntyre – partial copy (WP)
 - Undated draft Affidavit of Dawn McIntyre in the IHI/First Data litigation (WP)
 - 4/4/97 29-page fax from Mike at IHI to BEW (A/CP)

- 4/4/97 correspondence from Eileen Smith to SVE re merchant account with handwritten notes BEW (A/CP)
- 4/3/97 four-page fax BEW to SVE (A/CP)
- 4/3/97 BEW to SVE (A/CP)
- 4/2/97 five-page fax Jeff Hooks to BEW (A/CP)
- 4/2/97 21-page fax Jeff Trendel to BEW (A/CP)
- 4/2/97 correspondence BEW to Susan Kobel, IHI cc Jeff Trendel and SVE with enclosure (A/CP)
- 4/2/97 eight-page fax BEW to Clark Jones (A/CP)

BOX 96W342I 131

- IHI/First Data Deposition Summary – Stan Van Etten
 - 2/13/98 Memo from Gene Davis to BEW re deposition summary of SVE (WP)
- Deposition of Stan Van Etten
 - 4/2/97 handwritten notes of BEW with 3/13/97 correspondence from Ralph Shalom to BEW attached (WP)
 - 3/13/97 correspondence from BEW to Ralph Shalom facsimile attached (A/CP)
- IHI/First Data – Deposition Summary – Steve McDermitt
 - 2/8/98 Memo from Gene Davis to BEW (WP)(A/CP)
 - 2/8/98 Memo from Gene Davis to BEW deposition summary April 4, 1997 (WP)(A/CP)
- Deposition of Steve McDermitt
 - Undated handwritten notes BEW with attachment of exhibits from McDermitt's deposition used to questioning (WP)
- Research
 - Undated numerous copies of North Carolina Court of Appeals and other court decisions (WP)
 - Copies of ALR sections and Hornbook sections (WP)
 - Undated draft of Brief of Support of Plaintiff's Motion to Preliminary Injunction in IHI v. First Data litigation with brief BEW notes (WP)
 - 3/11/97 20-page fax from Alan Woodlief to BEW (WP)
- International Heritage – First Data – Release of Funds
 - Undated draft Motion to Compel the Release of Funds in IHI/First Data litigation (WP)
 - 1/26/98 Memo from Gene Davis to File (WP)
 - 1/26/98 Memo from Gene Davis to BEW with attachment (WP)
- Blank

- 2/8/98 Memo from Gene Davis to BEW (WP)(A/CP)
- 2/13/98 Memo from Gene Davis to BEW with handwritten notes of BEW on yellow Post-Its attached (WP)(A/CP)
- Miscellaneous Documents
 - 7/7/97 four-page fax from Heather at IHI to BEW (A/CP)
 - 7/7/97 three-page fax from Dawn McIntyre to BEW – partial copy (A/CP)
 - 7/2/97 three-page fax from Heather Markham to BEW (A/CP)
 - 7/2/97 21-page fax from Heather Markham to BEW (A/CP)
 - 5/14/97 two-page fax from Clark Jones to BEW (A/CP)
- First Data Audit Detail
 - 5/12/97 IHI Memo from DH to BEW cc SVE and JB with attachment (A/CP)
- Miscellaneous Documents
 - 5/15/97 three-page from Clark Jones to BEW (A/CP)
 - 5/16/97 43-page fax Clark Jones to BEW – partial copy (A/CP)
 - 5/12/97 three-page fax Clark Jones to BEW (A/CP)
 - 5/12/97 five-page fax Clark Jones to BEW (A/CP)
 - 5/12/97 three-page fax Clark Jones to BEW (A/CP)
 - 5/12/97 three-page fax Clark Jones to BEW (A/CP)
 - 5/12/97 three-page fax Clark Jones to BEW (A/CP)
 - 5/12/97 three-page fax Clark Jones to BEW (A/CP)
 - 5/12/97 IHI Memo DH to BEW with attachment (A/CP)
 - 5/14/97 three-page fax Jeff Trendel to BEW (A/CP)
 - 5/14/97 Memo from Jeff Trendel to DH re information for Brent Wood with attachment (A/CP)
 - 5/15/97 three-page fax Clark Jones to BEW (A/CP)
 - 5/15/97 three-page fax Clark Jones to BEW (A/CP)
 - 5/15/97 three-page fax Clark Jones to BEW (A/CP)
 - 7/17/97 Postmarked white envelope from IHI to BEW containing the following: (A/CP)
 - 7/16/97 memo from Keith McKay to BEW cc JB with attachments (A/CP)
 - 7/14/97 CR to BEW cc JB and Gary Williams with attachment (A/CP)
 - 7/17/97 IHI memo from Heather Markham to BEW cc JB, CR, Gary Williams and Pete Scanlon with attachment (A/CP)
- Woodlief Research on Preliminary Injunction
 - 4/23/97 draft Brief in Support of Plaintiff's Motion for Preliminary Injunction (WP)
 - 4/4/97 Steve McDermitt deposition summary with floppy disc labeled IHI Depos attached followed by North Carolina case law and case law from other jurisdictions regarding preliminary injunctions (WP)

BOX 96W342I 132

- IHI/First Data - Documentation Used to Provide Responses to First Discovery of Defendants
 - Undated miscellaneous handwritten note BEW (WP)
 - 6/9/98 correspondence GMM to BEW with enclosure consisting of draft interrogatory responses and 19 sets of documents for production (WP)(A/CP)
 - Undated Centura Bank records labeled Merchant Statements from GMM with note from GMM to BEW attached on yellow post-it (WP)(A/CP)
 - 6/30/98 six-page fax Linda Halsteadt to Elaine Tarkington partial copy (A/CP)
 - Undated draft Defendant's First Set of Interrogatories and First Request for Production of Documents to Plaintiff in the IHI v. First Data, et al. litigation with extensive handwritten notes and edits from BEW (WP)
- IHI Research
 - 5/21/97 Approximately 700 pages of research and documentation from Lexis regarding various topics (WP)

BOX 96W342I 137

- Debra Braderway
 - 6/30/98 two-page fax DH to MV transmission page (A/CP)
 - 6/30/98 two-page fax DH to DL transmission page (A/CP)
 - 5/22/98 two-page fax DH to MV transmission page (A/CP)
 - 5/22/98 two-page fax DH to MV transmission page (A/CP)
 - 6/30/98 two-page fax DH to MV transmission page (A/CP)
 - 6/30/98 two-page fax DH to DL transmission page (A/CP)
 - 6/18/98 two-page fax DH to Chris Willis transmission page (A/CP)
 - 5/22/98 two-page fax DH to MV transmission page (A/CP)
 - 5/22/98 two-page fax DH to MV transmission page (A/CP)
- Dechart, Price and Rhoads
 - 7/23/98 two-page fax DH to MV (A/CP)
 - 7/21/98 two-page fax DH to MV (A/CP)
 - 7/15/98 nine-page fax DH to DL partial copy (A/CP)
 - 7/14/98 three-page fax DH to MV (A/CP)
 - 6/13/98 two-page fax DH to Dennis Lawson (A/CP)
 - 6/30/98 17-page fax DH to MV transmission page only (A/CP)
 - 6/29/98 handwritten note from MV to DH (A/CP)
 - 6/18/98 13-page fax DH to MV partial copy (A/CP)
 - Sky Mark Avenue, Mississauga
 - 2/2/98 IHI Memo from GMM to DH (A/CP)
- MTI/E*Net

- 3/26/97 facsimile BEW to DH with attachment (A/CP)
- Memos, Research Re: First Data
 - 5/12/97 IHI Memo from DH to BEW cc SVE and JB with attachments (A/CP)
 - 5/14/97 Memo from Jeff Trendel to DH re: information for BEW with attachment (A/CP)
 - 5/6/97 three-page fax BEW to JB with handwritten note on yellow post-it from JB (A/CP)
 - 4/25/97 three-page fax BEW to SVE, DH, Jeff Trendel (A/CP)
 - 4/18/97 three-page fax BEW to JB (A/CP)
 - 4/9/97 five-page fax BEW to DH (A/CP)
 - 4/18/97 IHI Memo from DH to BEW with attachments (A/CP)
- First Data Affidavit
 - 3/31/97 Correspondence from BEW to SVE cc GMM, David Brown, JB, Jeff Hooks, DH, Dawn McIntyre, Clark Jones and Jeff Trendel (A/CP)
- Communications Re: BTI
 - 4/7/97 Correspondence GMM to Chris Lynch, Scott L. Cunningham, Wyrick, Robbins cc Larry Robbins, SVE, L. Stephanie Harris, DH, Peter Lofton, President, BTI (A/CP)
- Estate Info
 - 2/25/97 Correspondence GMM to JAB (A/CP)
 - 12/30/96 Memo from John Austin to GMM (A/CP)
 - 12/30/96 Correspondence GMM to DH cc SVE (A/CP)
- SVE
 - 5/21/97 facsimile correspondence BEW to DH (A/CP)
 - 5/8/97 four-page fax DH to BEW (A/CP)
- Notes from Meeting with Dan, Bill and Applewhite
 - Undated outline entitled Multi-Level Marketing Highlights (WP)
 - Miscellaneous handwritten notes (WP)
- WYR&P Correspondence with Gallagher and Archambeault, P.C.
 - 3/7/96 16-page fax FDB to SVE and JB (A/CP)
 - 3/7/96 three-page fax FDB to SVE and JB (A/CP)
- WYR&P Correspondence To/From Stan
 - 3/22/96 12-page fax from GMM to SVE (A/CP)

- 1/23/96 Correspondence FDB to SVE cc JAB (A/CP)
- 9/25/95 Correspondence Sheila Stansill to DA (A/CP)
- 7/3/95 Correspondence from FDB to SVE (A/CP)
- WYR&P Correspondence To/From Me
 - 3/21/96 one-page fax from DH to FDB and DA (A/CP)
 - 11/6/95 Correspondence from DA to DH cc SVE and FDB, Esq. with attachment (A/CP)
 - 9/14/95 Correspondence from DA to DH (A/CP)
- Brent Wood
 - 5/26/98 Yellow Post-It Note from DH to BEW (A/CP)
 - 5/22/98 two-page fax from DH to Mile MV transmission page (A/CP)
 - 5/22/98 two-page fax from DH to Mile MV transmission page (A/CP)
 - 5/21/98 10-page fax from DH to Mile MV (A/CP)
- Miscellaneous Notes
 - Undated handwritten note from GMM to BEW (A/CP)
- James Tucker
 - 6/30/98 17-page fax from DH to MV (A/CP)
- Denise Marsh
 - 7/10/98 IHI Memo from GMM to DH, Kevin Jones, Ashley Markham, Dawn McIntyre cc JB with copy of Plaintiff's Second Request for Production of Documents to Defendant International Heritage, Inc. attached (A/CP)

BOX 96W342I 138 / BOX 96W342I 139

IHI Bankruptcy A and B (were the former designations)

- Correspondence IV IHI Bankruptcy
 - 9/21/99 Draft settlement agreement with notations from BEW (WP)
 - 8/9/99 Draft settlement agreement and release (WP)
 - Undated draft or copy of settlement agreement (WP)
 - 1/12/99 Memo from SVE to BEW (A/CP)
 - 6/1/99 Correspondence BEW to SVE cc RB (A/CP)
 - 5/26/99 Correspondence Rhonda Peditto to SVE with enclosure (A/CP)
 - 5/19/99 Correspondence BEW to SVE (A/CP)
 - 5/19/99 Correspondence Rhonda Peditto to SVE with enclosure (A/CP)
 - 4/8/99 Facsimile BEW to SVE (A/CP)
 - 4/6/99 BEW to SVE (A/CP)
 - 4/6/99 BEW to SVE (A/CP)
 - 2/12/99 three-page fax SVE to BEW (A/CP)

- 3/19/99 BEW to SVE (A/CP)
- 3/19/99 BEW to SVE (A/CP)
- Correspondence III - IHI Bankruptcy
 - 3/10/99 BEW to SVE (A/CP)
 - 2/9/99 BEW to Susan Halpern cc SVE (A/CP)
 - Undated draft Opposition of SVE to Trustee's Application with handwritten notes, edits and inserts from BEW (WP)
 - 1/28/99 nine-page fax from Steven H. Lang to BEW and Hunter Wyche, Esq. (A/CP)
 - 1/21/99 three-page fax Anna Washburn to BEW (A/CP)
 - 1/21/99 five-page fax AW to BEW (A/CP)
 - 1/19/99 three-page fax SVE to BEW (A/CP)
 - 1/20/99 Rhonda Peditto copy of email transmission from RB to Rhonda Peditto cc BEW, Steven Lang and Michael Wilenski (A/CP)
 - 11/30/98 SEC transmission to BEW attached (A/CP)
 - 1/13/99 BEW to SVE (A/CP)
 - 1/11/98 two-page fax Jennifer Doherty to BEW (A/CP)
 - 1/8/99 24-page fax AW to BEW (A/CP)
 - 12/28/98 SVE to BEW (A/CP)
 - 12/16/98 five-page fax AW to BEW (A/CP)
 - 1/6/99 seven-page fax AW to BEW (A/CP)
 - 1/5/99 Correspondence from BEW to IHI Board of Directors including LS, Yvonne Eickenrock, GMM, CR, JB, CS, Barry Eickenrock, Hukezalie, Harry Baines, Angie Stewart, Bob Chommers, Ken Rudd, Kevin Jones, Jack Hemmer (A/CP)
 - 1/5/99 Correspondence BEW to SVE (A/CP)
 - 12/18/98 Facsimile BEW to SVE cc Holmes Hardin and Craig Adams (A/CP)
 - 12/22/98 BEW to Hunter Wiche cc SVE (A/CP)
- Correspondence II IHI Bankruptcy
 - 12/10/98 Correspondence BEW to IHI Board of Directors and Officers including LS, Yvonne Eickenrock, GMM, Chris Reid, JB, CS, Barry Eickenrock, Rob Hukezalie, Harry Baines, AS, Bob Chommers, Ken Rudd, Kevin Jones, Jack Hemmer cc SVE (A/CP)
 - " (he dictated ditto)
 - Undated mailing list of IHI Central Personnel (WP)
 - 12/9/98 Rhonda Peditto copy of email transmission from Rhonda Peditto to AW (A/CP)
 - 12/9/98 two-page fax AW to Rhonda Peditto (A/CP)
 - 12/9/98 facsimile Peditto to SVE (A/CP)
 - 12/4/98 five-page fax Terry Gardner to BEW (A/CP)
 - 12/7/98 BEW to SVE (A/CP)
 - 12/9/98 nine-page fax Rhonda Peditto to AW (A/CP)
 - 12/9/98 seven-page fax Rhonda Peditto to AW partial copy (A/CP)
 - 11/30/98 11-page fax Rhonda Peditto to CS (A/CP)
 - 12/2/99 correspondence from BEW to SVE (A/CP)
- Correspondence 1 - IHI Bankruptcy

- 11/25/98 BEW to JAB cc SVE with enclosures (A/CP)
- 11/25/98 BEW to Betina Lawton cc SVE, CS and LS with enclosures (A/CP)
- 11/25/98 BEW to FDB cc SVE, CS and LS with enclosures (A/CP)
- 11/25/98 BEW to RB cc SVE, CS and LS with enclosures (A/CP)
- 11/25/98 BEW to Susan Halpern cc SVE, CS and LS with enclosures (A/CP)
- Mailing Matrix - IHI Bankruptcy
 - 11/25/98 Rhonda Peditto email transmission from AEF to Peditto (A/CP)
 - 12/1/98 Peditto copy of email transmission from Peditto to Terry Gardner (A/CP)
 - 11/30/98 Peditto copy of email transmission from Charnel Baker to Peditto cc Terry Gardner (A/CP)
 - 12/1/98 Peditto copy of email transmission from Peditto to Terry Gardner (A/CP)
 - 11/30/98 Peditto copy of email transmission from Charnel Baker to Peditto cc Terry Gardner (A/CP)
 - Undated name and address list of European individuals with note to Peditto from BEW and handwriting on it (A/CP)(WP)
- Attorney Notes
 - Various dates handwritten notes of BEW (WP)
 - 9/15/99 Peditto copy of email transmission from Peditto to BEW (A/CP)
 - 9/29/99 Peditto copy of email transmission from BEW to Peditto (A/CP)
 - 6/9/99 Transcript of phone message from Christine at Bankruptcy Court to BEW (WP)
 - 3/29/99 Copy of IHI notes to consolidate balance sheet dated 7/31/96 attached to billing statement of Wood & Francis (WP)
 - 4/27/99 fax cover sheet for three-page fax from BEW to AW (A/CP)
 - 3/28/99 BEW copy of email transmission from SVE (A/CP)
 - 3-28-99 BEW copy of email transmission from SVE with handwritten notes of BEW (A/CP)
 - 12/10/98 copy of Chapter 7 bankruptcy form Eastern District of North Carolina re IHI attached to the above emails (WP)
 - Undated draft memorandum in support of Plaintiff SVE's Request for Preliminary and Permanent Injunction re IHI Bankruptcy coupled with SVE v. Holmes P. Hardin litigation re bankruptcy (WP)
 - 1/20/99 Peditto copy of email transmission from Peditto to Joy Alfred (A/CP)
 - 2/1/99 Peditto copy of email transmission from Peditto to BEW (A/CP)
 - 1/22/99 Peditto copy of email transmission from Peditto to Wood & Francis staff and attorneys (A/CP)
 - 1/15/99 Peditto copy of email transmission from Joy Alfred to Peditto (A/CP)
 - 1/26/99 Peditto copy of email transmission from Peditto to AW (A/CP)
 - 1/21/99 Peditto copy of email transmission from Peditto to BEW (A/CP)
 - 1/21/99 Peditto copy of email transmission from Peditto to BEW (A/CP)
 - 1/20/99 Peditto copy of email transmission from RB to BEW and Peditto (A/CP)
 - 1/20/99 Peditto copy of email transmission from Peditto to BEW (A/CP)
 - 1/13/99 BEW copy of email transmission from Jenny Johnson with attachments (A/CP)
 - 1/7/99 BEW copy of email transmission from Jenny Johnson with attachments (A/CP)
 - 1/5/99 BEW copy of email transmission from Jenny Johnson with attachments (A/CP)

- 1/4/99 BEW copy of email transmission from Jenny Johnson with attachments (A/CP)
- 12/11/98 two-page fax from Jennifer Doherty to BEW (A/CP)
- Undated handwritten notes AEF (WP)
- Undated Ginny Marshall copy of email transmission to BEW with handwritten notes to BEW on it (A/CP)
- 12/2/98 Peditto copy of email transmission from AB to Peditto (A/CP)
- 12/1/98 Peditto copy of email transmission from BEW to RB cc Peditto (A/CP)
- 11/25/98 Peditto copy of email transmission from Peditto to Wood & Francis staff and attorneys (A/CP)
- 3/2/99 Internal document of Wood & Francis (WP)
- Documents in Prep of Schedules IHI-Bankruptcy
 - 12/17/98 three-page fax Joy J. Alfred to Brent Wood (A/CP)
 - 12/17/98 14-page fax BEW to Joy/Terry Gardner (A/CP)
- IHI-Bankruptcy Holmes Hardin Ad Selling Doctrine
 - 1/15/99 Chris Reid copy of email transmission from CR to CR (A/CP)

BOX 96W342I 140 / BOX 96W342I 141

IHI Securities - A & B

- Montana State v. IHI Correspondence
 - Undated draft consent agreement and order re In the Matter Of IHI, SVE, CS, LS (A/CP)
 - 8/5/99 21-page fax Linda Deola of Reynolds, Motzel(?) and Sherwood, Attorneys at Law, Helena, Montana to BEW (A/CP)
 - 8/10/99 three-page fax BEW to Johnny Daniel (A/CP)
 - 8/5/99 21-page fax from Linda Deola to BEW (A/CP)
 - 4/23/99 SVE to RB cc Johnny Daniels (A/CP)
 - 4/1/99 34-page fax RB to BEW and SVE (A/CP)
 - 4/6/99 facsimile from BEW to SVE (A/CP)
 - 2/8/99 three-page fax Terry Gardner to BEW (A/CP)
 - 1/22/99 BEW to SVE (A/CP)
 - 4/7/99 BEW to SVE (A/CP)
 - 1/15/99 BEW to SVE (A/CP)
 - 2/9/99 BEW to SVE (A/CP)
 - 1/14/99 three-page fax BEW to RB (A/CP)
 - 4/28/98 18-page fax GMM to BEW and FDB (A/CP)
 - 4/17/98 IHI Memo from GMM to SVE, CR, BEW, FDB and RB marked Confidential - Attorney Work Product (A/CP)
 - 5/6/98 five-page fax GMM to BEW (A/CP)
 - 4/20/98 23-page fax GMM to SVE and BEW (A/CP)
 - 5/1/98 nine-page fax to BEW, CR and JB from SVE? (A/CP)
 - 4/15/98 five-page fax CR to BEW and FDB (A/CP)
 - 4/8/98 15-page fax AW to BEW (A/CP)
 - 4/6/98 20-page fax FDB to BEW (A/CP)

- 11/25/98 four-page fax BEW to FDB (A/CP)
- 11/12/98 FDB to SVE cc BEW, CS and LS (A/CP)
- 11/12/98 " with note from SVE to BEW (A/CP)
- 9/17/98 two-page fax CR to FDB cc BEW (A/CP)
- 9/30/98 BEW to CR and JB with enclosure (A/CP)
- 9/30/98 four-page fax BEW to CR (A/CP)
- 5/27/98 five-page fax Pete Scanlon to BEW (A/CP)
- 4/7/98 four-page fax CR to BEW (A/CP)
- 4/15/98 two-page fax BEW to FDB (A/CP)
- 4/15/98 two-page fax BEW to CR (A/CP)
- 4/15/98 BEW to JB (A/CP)
- 4/10/98 seven-page fax BEW to JB (A/CP)
- Montana State Auditor v. IHI, et al. - Attorney Notes
 - 4/12/99 Transcript of voice mail message from Lyn Deola to BEW (A/CP)
 - 4/7/99 Handwritten notes BEW (WP)
 - 1/5/99 Handwritten notes BEW (WP)
 - 1/5/99 Handwritten notes BEW (WP)
 - 4/15/98 Handwritten notes BEW (WP)
- Montana State Auditor v. IHI - Research
 - 11/10/98 Approximately 700 pages of research downloaded from Lexis relating to Montana state codes and securities regulations (WP)
- Securities - Van Etten - General
 - 4/21/99 Miscellaneous handwritten notes (WP)
 - 4/23/99 two-page fax from Dawn McIntyre to BEW (A/CP)
 - Undated handwritten note BEW (WP)
 - 8/11/98 23-page from CR to BEW (A/CP)
 - 1/23/99 BEW copy of correspondence from SVE to Hunter Wiche, Esq. (A/CP)
 - 1/20/99 Peditto copy of email transmission from Peditto to Joy Alfred (A/CP)
 - 2/9/99 transcript of voice mail from BEW to Gene Davis (A/CP)
 - 2/3/99 statement of legal fees from Johnson, Mercer, Hearn & Vinegar to IHI c/o BEW (A/CP)
 - 2/24/99 three-page fax from CR to Peditto (A/CP)
 - 2/24/99 BEW copy of correspondence from SVE to Rob Hukezalie Dynamic Essential and JB cc BEW (A/CP)
 - 2/25/99 two-page fax CR to BEW (A/CP)
 - 10/22/98 two-page fax from Joe McLeod(?) to BEW with handwritten note BEW (WP)
 - 9/29/98 eight-page fax GMM to BEW and RB (A/CP)
 - Undated two drafts of press release with handwritten notes of BEW on each
 - 1/25/99 handwritten notes BEW (WP)
 - 1/28/99 BEW to SVE cc RB (A/CP)
 - Miscellaneous handwritten notes BEW (WP)

- Securities - Van Etten - Marsh Action
 - 3/16/99 four-page fax BEW to AW (A/CP)
 - 3/16/99 BEW to Halpern cc SVE, LS and CS (A/CP)
 - 3/16/99 BEW to SVE and LS (A/CP)
 - Miscellaneous handwritten notes BEW (WP)
- Securities - Van Etten - SEC Action
 - Various dated handwritten notes BEW (WP)
 - 10/9/97 chart of IHI Disciplinary Action (WP)
 - 5/19/97 copy of draft letter to Dwinna Williams, State of Tennessee, Division of Consumer Affairs from CR cc SVE, FDB and JAB (WP)
 - 5/9/97 copy of correspondence from Dwinna Williams to IHI re Harry Carrell (A/CP)
 - Undated IHI Memo to IHI Leaders re Summer Promotion attached to handwritten notes of BEW with its own large attachment (WP)
- Securities - Van Etten - Meckenstock Action
 - 1/8/99 handwritten notes BEW (WP)
- SEC - Smith, Larry
 - Undated copy of South Carolina Court of Appeals decision (WP)
 - Undated copy of South Carolina Statute section (WP)
 - 3/5/99 Wood & Francis billing statement to LS (A/CP)
- Securities - Van Etten - Internet Research
 - 1/19/99 copy of NC Court of Appeals decision with handwritten note from BEW to Peditto attached (WP)
 - Undated article on Illegal Pyramid Schemes (WP)
 - Undated list of internet links to articles on IHI (WP)
- Van Etten - Securities - Information from Bisbys
 - 1/15/99 BEW copy of faxed handwritten note from the Bisbys to SVE (A/CP)
- 60 Minutes
 - 5/13/99 BEW transcript of message from Dawn McIntyre (A/CP)
 - 6/4/99 five-page fax from SVE to BEW (A/CP)
 - 5/15/99 six-page fax from SVE to BEW (A/CP)
 - 6/3/99 BEW copy of faxed correspondence from SVE to Mike Wallace, Co-Editor, 60 Minutes (A/CP)
 - Various dated handwritten notes BEW (WP)
 - 7/15/96 SEC Form S-1 re IHI with handwritten notes BEW and disbursed and attached to 3/6/98 SEC Form 8-K (WP)

- Undated copy of items from CBS.com (WP)
- 5/12/99 five-page fax BEW to SVE copy of pages from CBS.com (WP)

BOX 96W342I 142

- IHI – General/Correspondence 6

- Undated report on WRAL News transcript with handwritten notes (WP)
- Undated draft complaint SVE v. Stuart Watson, Capital Broadcasting Company with handwritten notes and edits (WP)
- 11/25/98 two-page fax Dawn McIntyre to BEW (A/CP)
- 11/24/98 two-page fax AW to BEW (A/CP)
- 11/24/98 two-page fax AW to BEW (A/CP)
- 11/24/98 correspondence BEW to Betina Lawton cc SVE (A/CP)
- 11/24/98 BEW to James Martin, Esq. cc SVE (A/CP)
- 11/24/98 BEW to DL cc SVE (A/CP)
- 11/24/98 BEW to RB cc SVE (A/CP)
- 11/24/98 BEW to Susan Halpern cc SVE (A/CP)
- Undated draft General Release (A/CP)
- 11/19/98 three-page fax BEW to SVE – cover page (A/CP)
- 10/30/98 20-page fax BEW to Terry Gardner (A/CP)
- 11/17/98 fax access authorization page from Infostor three pages (A/CP)
- 11/19/98 seven-page fax Terry Gardner to BEW (A/CP)
- 11/18/98 14-page fax Terry Gardner to BEW (A/CP)
- 11/17/98 three-page fax AW to BEW (A/CP)
- 11/16/98 three-page fax from LWB to GMM, AW and BEW (A/CP)
- 11/30/98 eight-page fax IHI to BEW (A/CP)
- 11/12/98 FBD to SVE cc BEW (A/CP)
- 11/10/98 two-page fax Betina Lawton to BEW (A/CP)
- 11/10/98 AS to BEW (A/CP)
- Undated handwritten note from BEW to Sabrina Wei (A/CP)
- 11/7/98 four-page fax Dawn McIntyre and SVE to BEW (A/CP)
- 10/30/98 GMM to Charles H. Mercer cc BEW, Rob Hukezalie and Debbie Blevins (A/CP)

- Correspondence 7

- 4/30/98 four-page fax RSH to BEW (A/CP)
- 1/19/99 BEW to SVE (A/CP)
- 1/15/99 BEW to CS (A/CP)
- 1/15/99 BEW to LS (A/CP)
- 1/5/99 two-page fax Terry L. Gardner to BEW (A/CP)
- 1/15/99 nine-page fax Diane Pace to Rhonda Peditto (A/CP)
- 1/8/99 BEW to SVE cc AEF and CTF marked Personal & Confidential (A/CP)
- 1/7/99 Peditto copy of email transmission from Peditto to Diane Pace with attachment (A/CP)
- 1/8/99 two pages of 18-page fax from BEW to Diane Pace (A/CP)
- 1/4/99 10-page fax BEW to Diane Pace (A/CP)

- 1/4/99 copy of Form U4 – Uniform Application for Securities Industry Registration of Transfer – first page with two yellow Post-Its bearing handwritten notes of BEW attached (WP)
- Miscellaneous handwritten notes BEW (WP)
- 11/23/98 two-page fax from Rob Hukezalie to BEW (A/CP)
- 12/8/98 three-page fax from SVE to BEW (A/CP)
- 10/20/98 four-page CR to BEW cc GMM and SVE (A/CP)
- Attorney Notes
 - 5/26/99 Peditto copy of email transmission from Peditto to Ginny Marshall (A/CP)
 - 5/26/99 Peditto copy of email transmission from Peditto to Ginny Marshall (A/CP)
 - 5/26/99 Peditto copy of email transmission from Peditto to Ginny Marshall (A/CP)
 - 5/26/99 Peditto copy of email transmission from Peditto to Ginny Marshall (A/CP)
 - 5/29/99 Peditto copy of email transmission from BEW to Peditto cc Anna Taylor (A/CP)
 - 10/22/98 handwritten notes AEF (WP)
 - Undated transcript of voice mail left by Alex Rue for Mr. and Mrs. Brown (WP)
 - 4/23/99 transcript of voice mail message from Steve Reid to BEW (WP)
 - 2/1/99 handwritten notes BEW (WP)
 - Various dated handwritten notes of BEW (WP)
 - 2/5/99 transcript of voice mail message from Janice Houvener to BEW (A/CP)
 - 1/28/99 Peditto copy of email transmission from Peditto to BEW (A/CP)
 - 1/26/99 Peditto copy of email transmission from Anna Washburn with attachment (A/CP)
 - 12/22/98 Peditto copy of email transmission from Peditto to AW (A/CP)
 - 12/22/98 Peditto copy of email transmission from Rhonda Peditto to AW (A/CP)
 - 12/16/98 AW to BEW – three-page fax (A/CP)
 - 9/3/98 handwritten notes AEF (WP)
 - 12/16/97 transcript voice message from AS to BEW with handwritten notes BEW on it and attached to BEW handwritten notes (WP)
 - 11/24/97 IHI Memo Jeff Trendel to GMM cc JB with attachments (A/CP)
 - Undated draft Voluntary Petition for Bankruptcy with handwritten notes BEW (WP)
 - 9/21/98 IHI Board of Directors Meeting Agenda with handwritten notes BEW attached (WP)
 - 4/19/98 BEW plane ticket (A/CP)
 - 4/20/98 BEW plane ticket (A/CP)
 - 4/27/98 BEW plane ticket or boarding pass (A/CP)
 - 4/27/98 BEW flight itinerary (A/CP)
 - 4/18/98 BEW American Airlines boarding pass (A/CP)
 - 4/16/98 BEW travel itinerary (A/CP)
 - Undated North Carolina General Statutes copy (A/CP)
- Contract with Contractor-Employees
 - 11/10/98 GMM to SVE with handwritten note on yellow Post-It from BEW attached (A/CP)
- Mollick, Georgina – IHI Gen

- 8/3/98 copy of front page of letter to SVE with notes to and from SVE to GMM on yellow-Post-It attached (A/CP)
- 10/16/98 Julie Bell to GMM cc BEW with enclosure (A/CP)
- 10/16/98 Internal document of GMM (WP)(A/CP)
- Client Documents – IHI-Gen
 - 11/13/98 fax cover page of eight-page fax from IHI to BEW (A/CP)
 - 11/3/98 four-page fax JAB to SVE and JB (A/CP)
 - 11/3/98 correspondence from SVE to _____ & Associates (A/CP)
 - 11/3/98 correspondence from SVE to Dechert, Price & Rhoades (A/CP)
 - 11/3/98 SVE to Kutuck, Rock (A/CP)
 - 11/3/98 SVE to BEW of Wood & Francis (A/CP)
 - 11/3/98 SVE to FDB (A/CP)
- Bridge Loan Financing
 - 6/23/98 three-page fax GMM to BEW (A/CP)
 - 6/23/98 four-page fax BEW to BEW (A/CP)
- Miscellaneous Documents
 - 12/16/97 10-page fax IHI to BEW (A/CP)
 - 11/21/97 three-page fax CR to BEW (A/CP)
 - 9/26/97 CR to BEW (A/CP)
- Ackle, Barry – IHI General
 - 10/12/98 copy of handwritten note or message from Barry Ackle (IHI employee) to BEW attached to an Option to Purchase (A/CP)
 - 10/12/98 copy of handwritten note from Barry Ackle to BEW with 5/26/97 Receipt and Agreement of Sale attached (A/CP)
- Sheu Hong Yip
 - 12/1/98 16-page fax RB to BEW (A/CP)
 - 10/22/98 correspondence GMM to BEW and RB with enclosure cc CR without enclosure (A/CP)
- Invoices for Shustak, Jalil and Heller
 - 11/1/98 Shustack, Jalil and Heller to CR (A/CP)
- Returned Checks for Deposit for IHI
 - 11/20/98 Memo from Peditto to BEW cc Angie Cox (A/CP)
 - 11/17/98 Memo from Peditto to BEW cc Angie Cox (A/CP)

- 11/13/98 Wood & Francis Trust Account Statement (A/CP)
- 11/13/98 Transaction Inquiry (A/CP)
- 11/12/98 Transaction Inquiry (A/CP)
- 11/12/98 Transaction Inquiry (A/CP)
- 11/12/98 Memo Peditto to BEW (A/CP)
- 11/16/98 Wood & Francis Trust Account Statement (A/CP)
- 11/16/98 Wood & Francis Trust Account Statement (A/CP)
- 11/16/98 Wood & Francis Trust Account Statement (A/CP)
- Deposits for IHI
 - 11/23/98 Peditto copy of email transmission BEW to Angie Cox cc Peditto (A/CP)
- IHI – General
 - 7/7/98 FDB to CR cc SVE and BEW (A/CP)
 - 2/16/98 FDB to CR (A/CP)
 - 1/16/98 FDB to CR with enclosure (A/CP)
 - 1/29/98 two-page fax FDB to BEW (A/CP)
 - 11/3/98 two-page fax BEW to SVE (A/CP)
 - 11/3/98 two-page fax BEW to John S. Smith, III, Office of Consumer Affairs, Consumer Protection * **Document missing**
 - 1/14/98 CR to SVE and JB cc Derek Striker, Peter Scanlon, BEW and FDB (A/CP)
 - 1/16/98 seven-page fax FDB to BEW (A/CP)
 - 1/13/98 BEW to FDB and CR (A/CP)
 - 1/9/98 FDB to SVE (A/CP)
 - 12/17/97 FDB to CR (A/CP)
 - 2/4/98 CR to FDB with enclosure (A/CP)
 - 10/30/97 two-page fax BEW to CR (A/CP)
 - 10/30/97 BEW to CR (A/CP)
 - 10/15/97 IHI Memo Jennifer Gruver to Pete Scanlon and CR with attachment re Georgia expenses (A/CP)
 - 10/7/97 34-page fax BEW to Robin Land, IHI employee – only 8 pages (A/CP)
 - 9/9/97 CR to JAB, FDB, BEW with enclosures (A/CP)
 - 9/5/97 14-page fax CR to BEW (A/CP)
 - 9/5/97 12-page fax JAB to BEW (A/CP)
 - 9/5/97 BEW copy of correspondence JAB to John S. Smith, Counsel and Division Director, Bureau of Consumer Protection, Georgia cc SVE, CR, JB, FDB and BEW with enclosures (A/CP)
 - 9/2/97 four-page fax AS to BEW (A/CP)
 - 9/2/97 SVE to BEW with enclosure (A/CP)
 - 8/6/97 17-page fax SVE to BEW (A/CP)
 - 8/7/97 FDB to SVE (A/CP)
 - 8/23/97 DA to JAB cc SVE, CR and FDB (A/CP)
 - 8/25/97 four-page fax AW to BEW (A/CP)
 - 8/26/97 seven-page fax JAB to BEW (A/CP)
 - 8/5/97 IHI Memo CR to All Field Trainers cc SVE, JB, Jeff Hooks and Peter Scanlon re Georgia training issues (A/CP)

- 8/26/97 BEW copy of JAB to John S. Smith, III cc SVE, CR, JB and FDB with enclosures (A/CP)
- 9/5/97 SVE to JAB, FDB and BEW with enclosures (A/CP)
- Attorney Notes
 - 1/19/98 handwritten notes BEW with draft letter BEW to FDB and CR (WP)
 - 12/19/97 handwritten notes BEW with draft Assurance of Voluntary Compliance for Kozdom, Inc. of Georgia (WP)
 - 8/28/97 handwritten notes BEW (WP)
 - 8/8/97 handwritten notes BEW (WP)
 - 8/7/97 handwritten notes BEW (WP)
 - 8/6/97 handwritten notes BEW (WP)
- Criminal Investigation – Van Etten
 - 10/21/99 BEW to Wade Smith, Melissa Hill, Esq. with enclosures cc SVE via email (A/CP)
 - 5/13/99 handwritten notes BEW (WP)
 - 5/13/99 correspondence Wade M. Smith and Melissa Hill to SVE (A/CP)
 - 11/2/99 transcript of voice mail message from Melissa Hill to BEW (A/CP)
 - 5/25/99 Peditto copy of email transmission from Peditto to BEW (A/CP)
 - Undated copy of Wade Smith index (WP)
 - Miscellaneous check list of items for Wade Smith (WP)
 - Undated pleadings index _____, et al. v. F & Wolf & Company, et al. (WP)
 - Undated pleadings index (WP)

BOX 96W342I 143

- Correspondence 15
 - 6/22/99 BEW to SVE (A/CP)
 - 5/28/99 37-page fax from RB to BEW (A/CP)
 - 5/26/99 RB to SVE cc BEW with enclosures and handwritten notes from BEW on document (A/CP)
 - 5/24/99 34-page fax from RB to BEW (A/CP)
 - 5/19/99 Memo from BEW to Alan Woodlief (A/CP)
 - 5/17/99 RB to Rhonda Peditto cc BEW and SVE (A/CP)
 - 5/4/99 five-page fax from RB to BEW (A/CP)
 - 4/8/99 three-page fax from Paul Fanning, Esq. to BEW (A/CP)
 - 4/20/99 two-page fax from SVE to BEW (A/CP)
 - 4/19/99 two-page fax from RB to Thomas Fleming, William Hicks, BEW and SVE (A/CP)
 - 4/28/99 BEW to RB cc SVE (A/CP)
 - 4/28/99 BEW to SVE (A/CP)
 - 3/9/99 Thomas Fleming to RB cc Steven Bayern and Al Barbera (A/CP)
 - 4/9/99 four-page fax from Peditto to RB (A/CP)
 - 4/7/99 BEW to SVE (A/CP)

- 4/1/99 four-page fax from BEW to SVE (A/CP)
- 3/30/99 Paul Greenberg to RB and BEW (A/CP)
- 3/22/99 four-page fax from RB to BEW (A/CP)
- 3/22/99 BEW copy of letter from RB to Luther D. Thomas, Clerk, U.S. District Court, Northern District of Georgia cc BEW (A/CP)
- 3/19/99 RB to Thomas Fleming cc BEW, William P. Hicks and SVE (A/CP)
- 3/11/99 three-page fax RB to BEW (A/CP)
- 2/9/99 21-page fax from FDB to BEW (A/CP)
- 3/18/99 BEW to RB cc SVE (A/CP)
- 3/17/99 Peditto to RB (A/CP)
- 3/16/99 three-page fax RB to Thomas Fleming, BEW and William Hicks (A/CP)
- 3/3/99 copy of email transmission page with handwritten note of Peditto on yellow Post-It attached (A/CP)
- 1/26/99 12-page fax Peditto to AW (A/CP)
- 1/19/99 BEW to SVE (A/CP)
- 1/4/99 GMM to BEW with enclosure (A/CP)
- SEC v. IHI - Attorney Notes 2
 - Various handwritten notes from BEW (WP)
 - 5/31/99 Memo from Alan Woodlief to BEW (A/CP)
 - 5/17/99 Peditto copy of email transmission from Peditto to RB (A/CP)
 - 6/22/99 Peditto copy of email transmission from Peditto to BEW with handwritten notes of BEW (A/CP)
 - 5/27/99 Peditto copy of email transmission from Anna Taylor to BEW cc Peditto (A/CP)
 - 6/1/99 18-page fax from BEW to RB (A/CP)
 - 5/26/99 four-page fax from BEW to RB (A/CP)
 - 5/17/99 BEW copy of email transmission from SVE to BEW (A/CP)
 - 5/10/99 three-page fax RB to William Hicks and BEW (A/CP)
 - 4/20/99 Peditto copy of email transmission from RB to BEW cc Peditto (A/CP)
 - 3/18/99 Memo from BEW to CR cc AEF (A/CP)
 - 3/8/99 BEW copy of email transmission from RB to BEW (A/CP)
 - 3/8/99 BEW copy of email transmission from RB to BEW cc Courtney E. Sheehan (A/CP)
 - 2/23/99 two-page fax BEW Peditto to Jim Roberts (A/CP)
 - 2/1/99 transcript of message from John Wells (60 Minutes) to BEW (WP)
 - 6/12/98 SEC Litigation Release No.: 15694 (WP)
 - Miscellaneous and undated handwritten notes AEF (WP)
 - Undated draft Plaintiff-Appellant's Brief to the North Carolina Court of Appeals re George L. Gaunt, et al. v. Donald E. Pittaway, Nancy O. Teaff, et al. with handwritten notes and edits from BEW and John Austin (WP)
 - Undated outline for response to Lloyd Whitaker Report (WP)
 - Undated draft Second Report to Lloyd T. Whitaker Pursuant to etc. bearing handwritten notes of BEW (WP)
 - 8/12/98 Memo from AEF to BEW (WP)(A/CP)
 - 9/3/98 nine-page fax RB to BEW (A/CP)
 - Undated AEF Schedule of SEC Subpoenas and Depositions (WP)
 - 7/22/98 Memo AEF to BEW (WP)(A/CP)

- 7/22/98 Draft Motion to Quash Subpoena and for Protective Order with handwritten note from Alan Woodlief and AEF on yellow Post-It to BEW attached (WP)
- 6/1/98 copy of Plaintiff's First Set of Interrogatories to Defendant IHI in the SEC v. IHI, et al. litigation bearing handwritten notes BEW (WP)
- SEC v. IHI - Attorney Notes
 - Various dated handwritten notes of BEW (WP)
 - 12/1/98 Peditto copy of email transmission from BEW to RB cc Peditto (A/CP)
 - Undated draft Defendant Stanley Van Etten's Response to Plaintiff's First Set of Interrogatories (WP)
 - 6/29/98 three-page fax RB to BEW and Ms. Eisenberg bearing handwritten notes from BEW (WP)
 - 3/28/98 billing invoice of Paul Greenberg to IHI
 - 5/11/98 seven-page fax from Joel B. Piassick to BEW and Lloyd T. Whitaker with handwritten note of 5/12/98 from BEW
 - Undated miscellaneous business cards and contact information (WP)
 - 4/29/98 Tarkington copy of email transmission from AW to Elaine Tarkington (A/CP)
 - 4/29/98 13-page fax from RB to BEW with handwritten notes of BEW (WP)
 - 4/14/98 draft of Corporate Up-Date with handwritten notes of BEW (WP)
 - 4/13/98 six-page fax from Marks Lane to BEW with handwritten notes of BEW (WP)
 - 4/8/98 four-page fax from AS to Elaine Tarkington with handwritten notes of BEW (WP)
 - 3/6/98 15-page fax from RB to BEW with handwritten notes of BEW (WP)
 - Undated seven-page fax from D.J. Gellen to BEW, CR and FDB (A/CP)
 - Undated outline for hearing on Preliminary Injunction SEC v. IHI (WP)
 - Undated outline for hearing on preliminary injunction SEC v. IHI with handwritten notes of BEW marked Confidential and Privileged (WP)
 - 3/21/98 list of items sent by Plain with handwritten notes of GMM (WP)
 - Undated handwritten notes GMM (WP)
- SEC - Georgia Action No.: 1:98-0803-CV-RWS IHI (Discovery Responses)
 - 10/13/98 correspondence from GMM to BEW marked Confidential Attorney Work Product with enclosures
- Correspondence 2
 - 11/1/99 correspondence BEW to SVE (A/CP)
 - 11/1/99 BEW to LS (A/CP)
 - 11/1/99 BEW to CS (A/CP)
 - 10/19/99 BEW to SVE with enclosures (A/CP)
 - 10/19/99 BEW to LS (A/CP)
 - 10/19/99 BEW to CS (A/CP)
 - 10/12/99 \$275,000 check from Executive Risk Guaranty, Inc. to Wood & Francis, PLLC (A/CP)
 - 9/24/99 BEW to SVE with enclosure (A/CP)
 - 9/24/99 BEW to LS (A/CP)
 - 9/24/99 BEW to CS (A/CP)

- 9/10/99 BEW to SVE, LS and CS (A/CP)
- 9/10/99 BEW to SVE, LS and CS (A/CP)
- 9/3/99 BEW to CS (A/CP)
- 9/3/99 BEW to LS (A/CP)
- 9/3/99 BEW to SVE (A/CP)
- 8/26/99 BEW to SVE, LS and CS (A/CP)
- 8/26/99 BEW to SVE, LS and CS (A/CP)
- 8/26/99 BEW to SVE, LS and CS (A/CP)
- 6/7/99 handwritten notes BEW (A/CP)
- 5/27/99 BEW to LS with enclosure (A/CP)
- 5/27/99 BEW to CS with enclosure (A/CP)
- 5/27/99 BEW to SVE (A/CP)
- 5/27/99 BEW to James R. Roberts, III, Esq., James T. Johnson, Esq. of Lewis and Roberts (A/CP)
- Correspondence - Executive Risk I
 - 5/21/99 Memo BEW to Alan Woodlief (A/CP)
 - 2/17/99 draft correspondence BEW to Lisa A. Burns, Esq. and Mr. Joseph W. Eason and Jonathan Sasser with enclosure and handwritten notes BEW (A/CP)
 - 4/17/99 BEW to SVE, LS c/o Ryan Smith and CS (A/CP)
 - 2/9/99 handwritten notes BEW (WP)
 - 2/2/99 BEW to SVE, LS and CS (A/CP)
 - 1/11/99 BEW to SVE, LS and CS (A/CP)
 - 5/21/99 Memo BEW to Alan Woodlief (A/CP)
 - 2/17/99 draft letter from BEW to Holmes Harden Esq. (WP)
 - 2/17/99 draft letter from BEW to SVE, CS & LS c/o Ryan Smith with attachment (WP)
 - 5/21/99 Miscellaneous handwritten notes BEW (WP)
 - 8/3/99; 7/7/99; 7/26/99 handwritten notes of BEW (WP)
 - 12/1/98 BEW to SVE, LS and CS (A/CP)
 - 10/27/98 two pages of 10-page fax from BEW to Alan Woodlief (A/CP)
 - 9/30/98 13-page fax from Alan Woodlief to Elaine Tarkington handwritten notes BEW (A/CP)
 - 9/29/98 13-page fax from Alan Woodlief to Elaine Tarkington handwritten notes Alan Woodlief (A/CP)
 - 9/14/98 BEW to GMM cc with enclosure Rob Hukezalie cc JB without enclosure (A/CP)
 - 8/26/98; 7/31/98 handwritten notes of BEW (WP)(A/CP)
 - 7/21/98 three-page fax from GMM to BEW with handwritten notes BEW (WP)
 - 8/4/98 Wood & Francis internal document (WP)
- Docs Sent to Lewis & Roberts - Exec. Risk
 - 2/11/99 Peditto copy of email transmission from RB to Peditto (A/CP)
 - 7/21/98 three-page fax from GMM to BEW (A/CP)
- Miscellaneous Documents
 - 9/21/98 AEF copy of email transmission from Peter Scanlon to AEF (A/CP)

- 9/16/98 AEF copy of email transmission from Pete Scanlon to AEF cc'd Wendy Rainerd and CR (A/CP)
- 9/11/98 draft letter from Pete Scanlon to Infinity Marketing, Doug & Page Sims (WP)
- 9/11/98 draft letter from Pete Scanlon to David and Lita Tillman (WP)
- 10/1/98 four page facsimile from GMM to AEF (A/CP)
- undated list of witnesses and parties to litigation against IHI (WP)
- 9/1/98 AEF copy of email transmission from BEW to AEF (A/CP)
- 9/28/98 nineteen page facsimile from Wendy Rainerd to AEF (A/CP)
- 10/1/98 correspondence from GMM to AEF (A/CP)
- 10/12/98 AEF copy of email transmission from Wendy Rainerd to AEF (A/CP)

BOX 96W342I 146

- SEC Attorney Notes
 - 9/13/99 Peditto copy of email transmission BEW to Peditto (A/CP)
 - 8/30/99 BEW handwritten note (WP)
 - 9/1/99 BEW handwritten note (WP)
 - 10/14/99 BEW copy of email transmission from BEW to SVE and second party at TotalBodySystems.com (A/CP)
 - 8/26/99 transcript of voice mail message from Bill Hicks to BEW (WP)
 - 8/20/99 draft copy of SEC's Statement of Financial Condition of SVE with handwritten notations of BEW (WP)
- IHI – General Correspondence
 - 10/27/99 seven-page fax BEW to SVE (A/CP)
 - 10/13/99 fax BEW to SVE (A/CP)
 - 7/8/99 draft correspondence BEW to Herbert Towning cc SVE with handwritten notations and edits of SVE and BEW (WP)
- Montana
 - 4/16/99 four-page fax Dave R. Paoli to RB, BEW and Beth O'Halloran (A/CP)
 - 8/10/99 BEW to Linda M. Deola, Esq. cc SVE (A/CP)
 - 8/17/99 four-page fax BEW to SVE (A/CP)
 - 8/18/99 four-page fax Linda Deola to BEW (A/CP)
 - 8/19/99 two-page fax Deola to BEW (A/CP)
 - 8/20/99 BEW to Deola with enclosure (A/CP)
 - 8/20/99 BEW to SVE with enclosures (A/CP)
 - 8/25/99 22-page fax Deola to SVE cc BEW (A/CP)
 - 8/26/99 BEW to SVE, LS and CS (A/CP)
 - 8/26/99 BEW to Deola with enclosure (A/CP)
 - Undated BEW copy of email transmission from Deola cc SVE (A/CP)
 - 9/3/99 two-page fax Deola to Brenda Elias (A/CP)
 - 10/7/99 BEW to David R. Paoli with enclosures cc RB, Brenda Elias, Deola, Holmes P. Hardin and SVE (A/CP)
 - 10/7/99 BEW to Deola (A/CP)

- 10/7/99 BEW to RB (A/CP)
- 10/7/99 BEW to SVE (A/CP)
- 10/4/99 handwritten notes BEW (A/CP)
- 10/6/99 two-page fax Debra Slaughter to Peditto (A/CP)
- 10/5/99 handwritten notes BEW (A/CP)
- 10/22/99 BEW to Deola cc SVE and RB (A/CP)
- 10/22/99 BEW to SVE (A/CP)
- 9/1/99 two-page fax Deola to BEW (A/CP)
- 9/9/99 two-page fax Deola to BEW (A/CP)
- 10/13/99 handwritten notes BEW (A/CP)
- Miscellaneous Unfiled Documents
 - Undated copies of statutory and case law research (WP)
 - 12/13/99 handwritten notes BEW (WP)
 - 12/16/99 BEW to SVE (A/CP)
 - 12/16/99 BEW to R. Lippuner, Esq. cc SVE (A/CP)
 - 12/16/99 Peditto copy of email transmission Peditto to CS, UM, RELI at TotalBodySystems.com (A/CP)
 - 12/15/99 Peditto copy of email transmission from Peditto to Carol Summerall (A/CP)
 - 12/8/99 correspondence from Lippuner to BEW (A/CP)
 - 12/16/99 three-page fax BEW to SVE cover page only (A/CP)
 - 12/17/99 Peditto copy of email transmission from BEW to Carol Summerall and SVE cc Peditto (A/CP)
 - 12/2/99 handwritten notes BEW (WP)
 - 12/20/99 Memo BEW to SVE (A/CP)

BOX 96W342I 147

- Miscellaneous Documents
 - 8/8/96 manilla envelope from IHI to Wood & Francis, PLLC containing the following: (A/CP)
 - 8/2/98 Memo from SVE to IHI Optionee with Business Week article enclosure (A/CP)
- Correspondence
 - 8/1/96 five-page fax Donna Crenshaw of Wood & Francis to SVE (A/CP)
 - 7/16/96 BEW to SVE (A/CP)
 - 5/17/96 10-page fax BEW to DH (A/CP)
 - 5/17/96 BEW to DH with enclosure (A/CP)
 - 5/7/96 BEW to SVE (A/CP)
 - 2/29/96 BEW to SVE (A/CP)
 - 2/20/96 BEW to SVE (A/CP)
 - 2/20/96 BEW to GMM with enclosure (A/CP)
 - 2/13/96 GMM to SVE cc CS, LS, Sabrina Wei, Barry Ackle, Derek L. Rogers, JB, BEW, Dan Applewhite and FDB (A/CP)
 - 12/6/95 BEW to SVE (A/CP)

- 12/6/95 BEW to GMM (A/CP)
- 11/20/95 GMM to CS and LS with enclosure (A/CP)
- 11/17/95 BEW to GMM with enclosure (A/CP)
- 10/27/95 six-page fax BEW to SVE (A/CP)
- 10/23/95 David C. Smith to BEW re Carpe Diem (A/CP)
- 10/20/95 Dan Applewhite to SVE (A/CP)
- 10/19/95 four-page fax BEW to Dan Applewhite (A/CP)
- 10/27/95 five-page fax Dan Applewhite to BEW (A/CP)
- 10/16/95 36-page fax BEW to Dan Applewhite (A/CP)
- Miscellaneous Document
 - 9/28/94 Cynthia Wittmer, Fee Arbitration Committee to SVE re Fee Arbitration Petition No. FA940013 with enclosure
- Lease Issue
 - 5/10/96 two-page fax AW to BEW (A/CP)
 - 5/3/96 handwritten notes BEW (WP)
 - 4/29/96 handwritten notes BEW (WP)
- Attorney Notes
 - Undated draft North Carolina Security Agreement Between IHI and SVE (WP)
 - Undated draft North Carolina Security Agreement Between IHI and SVE (WP)
 - Undated draft North Carolina Security Agreement Between IHI and SVE (WP)
 - Undated draft North Carolina Security Agreement Between IHI and SVE (WP)
 - 2/29/96 transcription of voice mail message from GMM to BEW (A/CP)
 - 10/24/95 handwritten notes BEW (WP)
 - Undated Wood & Francis internal document (WP)
- Pleadings
 - 12/29/95 Trial Calendar
 - 2/13/96 Judge Barnett Order in the Resorts International Hotel, Inc. v. SVE litigation
 - 11/20/95 Memorandum of Law Resorts International v. SVE
 - 11/21/95 Court Order Resorts International v. SVE
 - 11/20/95 Calendar Request
 - 9/18/95 Notice of Right to Have Exemptions Designed
 - 11/8/95 Notice of Hearing
 - 10/30/95 Notice of Hearing on Exempt Property
 - 10/19/95 Objection and Response to Notice to Have Exemptions Designed by SVE
 - 10/19/95 Objection and Response to Notice to Have Exemptions Designed by SVE
- Original Release
 - 5/23/96 Elizabeth Kennedy-Gurnee, Esq. to BEW with enclosure

- 11/19/96 four-page fax Elizabeth Gurnee to BEW in Resorts International Hotel v. SVE litigation (A/CP)
- 7/17/96 BEW to SVE with enclosure (A/CP)
- 7/2/96 Kennedy-Gurnee to BEW with enclosure
- 5/28/96 BEW to SVE (A/CP)
- 4/12/96 BEW to SVE (A/CP)
- 4/10/96 Kennedy-Gurnee to BEW
- 4/10/96 two-page fax Kennedy-Gurnee to BEW
- 3/13/96 Kennedy-Gurnee to BEW
- 2/21/96 BEW to SVE with enclosure (A/CP)
- 2/16/96 Kennedy-Gurnee to BEW
- 2/6/96 three-page fax Kennedy-Gurnee to BEW
- 1/30/96 BEW to SVE with enclosure (A/CP)
- 1/26/96 one-page fax Kennedy-Gurnee to BEW
- 1/8/96 BEW to SVE (A/CP)
- 12/28/95 Kennedy-Gurnee to BEW
- 12/14/95 BEW to Kennedy-Gurnee with enclosure
- 11/20/95 BEW to SVE (A/CP)
- 11/20/95 BEW to Kennedy-Gurnee with enclosure
- 11/8/95 BEW to SVE (A/CP)
- 11/1/95 BEW to SVE with enclosure (A/CP)
- 10/26/95 Kennedy-Gurnee to BEW
- 10/19/95 BEW to SVE (A/CP)
- 10/19/95 BEW to Kennedy-Gurnee with enclosure
- Van Etten, Stan / Resorts International Inc. v. – Pleadings
 - 5/3/95 Notice of Filing of Foreign Judgment Resorts International v. SVE
 - 8/17/95 Kennedy-Gurnee to M. Toller Workman, Ragsdale, Liggett & Foley (A/CP)
 - 7/5/94 copy Summons State of New Jersey to SVE re Resorts International v SVE
- Van Etten, Stan / Resorts International, Inc. v. – Attorney Notes
 - 10/17/95 handwritten notes GMM (WP)
 - 8/31/94 handwritten notes GMM (WP)
 - 8/22/94 handwritten notes GMM (WP)
 - 8/19/94 receptionist note for GMM with handwritten notes GMM (WP)
 - 8/15/94 handwritten notes GMM (WP)
- Miscellaneous Document
 - 6/1/95 Memo Brian Tyson to M. Toller Workman
- Van Etten, Stan / Resorts International Hotel, Inc. v. – Billing/Expense
 - 12/8/95 GMM to SVE with enclosure (A/CP)
 - 11/7/95 SVE legal billing invoice (A/CP)
 - 10/16/95 GMM to SVE with enclosure (A/CP)

- 7/6/95 SVE billing invoice (A/CP)
- 6/12/95 SVE legal billing invoice (A/CP)
- 5/31/95 SVE legal billing invoice (A/CP)
- 9/16/94 GMM to SVE with enclosure (A/CP)
- 8/8/94 GMM to SVE with enclosure (A/CP)
- 8/27/94 copy of handwritten note SVE to GMM (A/CP)
- 5/12/95 GMM to SVE with enclosure (A/CP)
- 3/27/95 GMM to SVE with enclosure (A/CP)
- 3/9/95 GMM to SVE with enclosure (A/CP)
- 1/23/95 GMM to SVE with enclosure (A/CP)
- Attorney Notes
 - 4/2/96 transcript voice mail message from Elizabeth Gurnee to BEW (WP)
 - 2/22/96 transcribed voice mail message from Kennedy-Gurnee to BEW (WP)
 - Undated transcribed voice mail message from SVE to BEW (WP)
 - Undated copy of handwritten notes BEW (WP)
 - 1/29/96 handwritten notes BEW (WP)
 - Miscellaneous handwritten notes (WP)
 - 11/21/95 handwritten notes BEW (WP)
 - 11/20/95 handwritten notes BEW (WP)
 - 10/30/95 miscellaneous handwritten note (WP)
 - 10/19/95 Wood & Francis internal document (WP)
- Van Etten, Stan / Resorts International Hotel, Inc. v. – Research
 - Undated Gaming Contracts and Futures Statute (WP)
 - Undated Supreme Court case citation (WP)
 - Undated ALR Section (WP)
- Van Etten, Stan / Resorts International Hotel, Inc. v. – Correspondence
 - 10/17/95 GMM to SVE (A/CP)
 - 10/17/95 GMM to SVE (A/CP)
 - 10/11/95 four-page fax GMM to SVE (A/CP)
 - 10/11/95 four-page fax GMM to SVE (A/CP)
 - 8/1/95 SVE to Ms. Toller Workman, Esq. (A/CP)
 - 6/29/95 December 1987 Statement of Tax Balance Owed (A/CP)
 - 6/27/95 M. Toller Workman to SVE (A/CP)
 - 6/27/95 M. Toller Workman to Kennedy-Gurnee (A/CP)
 - 6/20/95 Kennedy-Gurnee to Toller Workman (A/CP)
 - 6/20/95 Kennedy-Gurnee to Toller Workman (A/CP)
 - 5/7/95 one-page fax to Toller Workman from SVE (A/CP)
 - 5/5/95 Workman to SVE with enclosure (A/CP)
 - 6/1/95 Memo Brian Tyson to Workman with attachment (A/CP)
 - 5/5/95 Workman to SVE with enclosure (A/CP)
 - 3/16/95 Kennedy-Gurnee to Workman with enclosure (A/CP)
 - 2/23/95 Workman to Kennedy-Gurnee (A/CP)

- 1/3/95 Kennedy-Gurnee to SVE (A/CP)
- Van Etten, Stan (Resorts International Hotel, Inc. v.)
 - 10/13/95 handwritten note GMM (A/CP)
 - 10/11/95 four-page fax GMM to SVE (A/CP)
 - 10/17/95 GMM to BEW with attachment (A/CP)
- Stan Van Etten/Fordham – Worthless Check Charges
- Miscellaneous Documents
 - Undated handwritten legal notes regarding North Carolina case law (WP)
 - Undated print-out of miscellaneous North Carolina case law cites from AmJur2d (WP)
 - 4/12/94 Memo from SVE to File with attachments
 - 1/18/95 one-page fax SVE to Wood & Francis
 - Second page of Criminal Summons **Missing**
 - 4/11/95 transcript of message from SVE to CTF
- Miscellaneous Documents
 - Undated handwritten notes CTF (WP)
- Van Etten/Check Charge
 - 11/15/95 handwritten note BEW (WP)
 - 1/18/95 handwritten notes CTF (WP)
- This is How I Record the Checkbook on 10/17/94
 - 10/17/94 SVE statement of daily account balance report with handwritten notes (WP)
 - 10/17/94 SVE statement of daily account balance report with handwritten notes (WP)
 - 10/17/94 SVE statement of daily account balance report with handwritten notes (WP)
- Miscellaneous Document
 - 3/15/95 GMM to CTF (A/CP)
- Correspondence
 - 5/29/96 BEW to SVE (A/CP)
 - 5/1/96 BEW to SVE (A/CP)
 - 2/28/95 BEW to SVE
 - 2/28/95 BEW to GMM cc SVE
 - 2/28/95 BEW to J. Anthony Penree, Esq. and John Ericson, Esq. cc SVE and GMM
 - 2/28/95 BEW to Anthony O. Whiteman, Esq. re Jerry Capp, et al. v. F & Wolf, et al. with enclosure
 - 1/19/95 BEW to SVE

- 1/4/95 BEW to SVE
- 1/4/95 BEW to Wilson Day, Esq.
- 12/2/94 Arbitration Decision and Award re SVE and Wilson Day
- 12/30/94 Angie Cox to SVE marked Privileged and Confidential
- Undated Miscellaneous handwritten list
- 12/13/94 BEW to SVE
- 1/31/94 eight-page fax SVE to BEW
- 1/31/94 SVE to BEW eight-page fax copy
- Attorney Notes
 - 5/1/97 handwritten notes GMM (WP)
 - 4/17/96 handwritten notes BEW (WP)
 - Undated miscellaneous handwritten notes regarding contact information for Wilson Day (WP)
 - 1/5/96 handwritten notes BEW (WP)
 - 1/15/96 handwritten notes BEW (WP)
 - Miscellaneous handwritten notes BEW (WP)
 - 12/11/95 Memo BEW to Victor S. Lee, Esq. (WP)
 - 11/17/95 copy of handwritten notes BEW (WP)
 - 2/27/95 handwritten notes BEW (WP)
 - 1/22/95 handwritten notes and message posted to BEW (WP)
 - 12/28/94 miscellaneous handwritten notes (WP)
 - 11/22/94 handwritten notes BEW (WP)
 - 7/19/94 handwritten notes BEW (WP)
 - 6/7/94 handwritten notes BEW (WP)
 - Undated internal document Wood & Francis (WP)
- Miscellaneous Handwritten Notes
 - 11/30/94 handwritten notes BEW (WP)
 - 11/30/94 handwritten notes BEW (WP)
- Research
 - 12/14/95 Memo from Victor S. Lee to BEW (A/CP)
- Correspondence
 - 8/18/94 three-page fax BEW to SVE (A/CP)
 - 8/15/94 four-page fax BEW to SVE (A/CP)
- Client Documents
 - Undated note to BEW from Angie Cox (A/CP)
- Attorney Notes
 - 4/17/96 Memo from BEW to Victor S. Lee, Esq. (A/CP)

- 11/3/94 handwritten notes BEW (WP)
- 8/17/94 handwritten notes BEW (WP)

BOX 96W342I 148

- Correspondence
 - 12/15/97 Julie Bell to JB with enclosure (A/CP)
 - 12/3/97 BEW to JB (A/CP)
 - 11/18/97 Julie Bell to JB with enclosure (A/CP)
 - 10/24/97 BEW to JB (A/CP)
 - 10/14/97 BEW to CR (A/CP)
 - 10/3/97 BEW to CR (A/CP)
 - 9/29/97 BEW to CR with enclosure (A/CP)
 - 9/29/97 seven-page fax BEW to CR (A/CP)
 - 9/18/97 six-page fax BEW to CR (A/CP)
 - 9/9/97 BEW to JB (A/CP)
 - 9/9/97 BEW to JB with enclosure (A/CP)
 - 9/9/97 BEW to JB (A/CP)
 - 7/30/97 draft letter to Howard Cummings from Mike Russo, IHI re embezzlement (A/CP)
 - 8/5/97 three-page fax Mike Russo to BEW (A/CP)
 - 7/30/97 BEW to SVE cc Keith McKey (A/CP)
 - 7/30/97 BEW to SVE (A/CP)
 - 7/23/97 BEW to SVE with enclosure (A/CP)
 - 7/22/97 BEW to SVE with enclosure cc Jeff Trendel (A/CP)
 - 7/15/97 BEW to SVE with enclosure cc Jeff Trendel (A/CP)
 - 7/16/97 BEW to SVE with enclosure cc Jeff Trendel (A/CP)
 - 7/11/97 BEW to SVE with enclosure (A/CP)
 - 7/11/97 BEW to SVE with enclosure cc Jeff Trendel without enclosure (A/CP)
 - 7/11/97 BEW to SVE (A/CP)
 - 7/10/97 BEW to SVE with enclosure (A/CP)
 - 7/11/97 BEW to SVE with enclosure cc Jeff Trendel (A/CP)
 - 6/30/97 BEW to SVE cc Jeff Trendel and CTF with enclosure (A/CP)
- Foreman Deposition 2/4/98
 - Undated handwritten notes Julie Bell (WP)
 - 2/4/98 handwritten notes BEW (WP)
- Material of Motion to Dismiss Hearing
 - Copy of facsimile transmission page with handwritten note from Julie Bell to BEW on yellow Post-It attached (A/CP)(WP)
 - Undated miscellaneous copy of Rule 4 North Carolina Rules of Civil Procedure *
 - Undated copy of North Carolina Court of Appeals case *
 - Undated copy of North Carolina Court of Appeals case (WP)

- Spreadsheets from IHI
 - Undated handwritten message from Sandi Lomax, IHI employee to Julie Bell (A/CP)
- Affidavits of Defendants
 - Undated draft affidavit of Ken Johnson in IHI v. Cedric Dobbins, et al. bearing handwritten notes of BEW (WP)
-
- Correspondence – Volume 11
 - 10/16/98 Julie Bell to GMM cc BEW with enclosure (A/CP)
 - 9/24/98 Julie Bell to JB with enclosure (A/CP)
 - 9/22/98 Julie Bell to JB with enclosure (A/CP)
 - 9/1/98 Julie Bell to JB cc Rob Hukezalie and BEW with enclosure (A/CP)
 - 8/17/98 Julie Bell to JB cc Rob Hukezalie and BEW with enclosure (A/CP)
 - 7/23/98 Julie Bell to JB with enclosure cc Rob Hukezalie and BEW without enclosure (A/CP)
 - 7/10/98 Julie Bell to JB cc Rob Hukezalie with enclosure cc BEW without enclosure (A/CP)
 - 5/5/98 Julie Bell to JB with enclosure Rob Hukezalie and BEW without enclosure (A/CP)
 - 3/12/98 Julie Bell to JB with enclosure cc Rob Hukezalie and BEW without enclosure (A/CP)
 - 3/2/98 Mike James Russo, IHI employee to Julie Bell (A/CP)
 - 3/3/98 Julie Bell to JB with enclosure cc Rob Hukezalie and BEW without enclosure (A/CP)
 - 3/3/98 three-page fax Julie Bell to JB (A/CP)
 - 2/24/98 Julie Bell to JB with enclosure (A/CP)
 - 2/16/98 Julie Bell to JB with enclosure cc BEW without enclosure (A/CP)
 - 1/21/98 Statement of Wood & Francis Trust Account (A/CP)
 - 1/14/98 two-page fax Julie Bell to Mike Russo (A/CP)
 - 1/13/98 Julie Bell to JB (A/CP)
 - 1/8/98 Statement of Wood & Francis Trust Account (A/CP)

BOX 96W342I 151

- Requests for Reimbursement
 - Variously dated assorted receipts and invoices for travel and expenses incurred by BEW and Mary K. Wood on behalf of client, IHI (A/CP)
- For Your Signature
 - 11/20/98 Statement of Wood & Francis Trust Account for a time period 11/1/98 through 11/20/98 (A/CP)

- 11/20/98 Statement of Accounts Payable for November with handwritten note addressed to BEW (A/CP)
- 9/29/98 Docutrust invoice to Wood & Francis for document storage with handwritten note from BEW (A/CP)
- Miscellaneous Legal Invoices
 - 10/30/98 eight-page fax RB to BEW (A/CP)
 - 10/23/98 Sirote & Permutt to IHI - Statement of Account (A/CP)
 - 11/2/98 14-page fax FDB to BEW (A/CP)
 - 11/2/98 Wyrick, Robbins, Yates & Ponton Statement of Legal Fees to IHI with note to BEW from FDB attached (A/CP)
 - 10/29/98 James L. Martin, PC to BEW re statement of legal expenses (A/CP)
 - 10/30/98 RB to BEW cc Mike K. Wolensky and Edward M. Ford with enclosure (A/CP)
 - 10/27/98 six-page fax BML to BEW (A/CP)
 - 10/26/98 BML to BEW cc Rob Huzalie with enclosure (A/CP)
 - 10/27/98 Susan Halpern to BEW and SVE with enclosure cc Douglas Lang without enclosure (A/CP)
 - 10/27/98 17-page fax Susan Halpern to BEW (A/CP)
 - 10/27/98 BML to BEW cc Rob Huzalie with enclosure (A/CP)
 - 10/29/98 12-page fax David W. Long, Esq. re legal expenditures and fees (A/CP)
 - 10/29/98 four-page fax James L. Martin to BEW re legal fees (A/CP)
 - 10/27/98 copy of Wyrick, Robbins, Yates & Ponton invoice sent to IHI with attached note from FDB to BEW (A/CP)
 - 10/27/98 Susan Halpern to BEW and SVE with enclosure cc Douglas Lang (A/CP)
 - 11/6/98 six-page fax Susan Halpern to SVE (A/CP)
 - 11/9/98 Sirote & Permutt billing statement to IHI c/o BEW (A/CP)
 - 11/2/98 14-page fax FDB to SVE (A/CP)
 - 11/6/98 Susan Halpern to BEW and SVE with enclosures (A/CP)
 - 11/6/98 six-page fax Susan Halpern to BEW (A/CP)
 - 11/9/98 nine-page fax Jean Heatherly to BEW - NOTE: Heatherly is of Sirote & Permutt (A/CP)
 - 10/22/98 Billing invoice from Herbert Towning to Wood & Francis, PLLC with receipts, invoices and expense bills attached (A/CP)
 - 10/22/98 two-page fax Herbert Towning to BEW (A/CP)
 - 11/20/98 four-page fax BML to BEW (A/CP)
 - 11/20/98 eight-page fax AW to BEW (A/CP)
 - 11/20/98 seven-page fax AW to BEW (A/CP)
 - 11/23/98 Trust Account Statement of Wood & Francis for 11/1/98 through 11/23/98 (A/CP)
 - 11/23/98 two-page fax AW to BEW (A/CP)
 - 11/23/98 Humbolt Bank Merchant ledger sent from Dwight Hallman to BEW (A/CP)
 - 11/23/98 three-page fax from Dwight Hallman to BEW (A/CP)
 - 11/23/98 two-page fax Peditto to AW (A/CP)

f:\wplac\VanEtten.AttorneyGeneral.DescriptionOfPrivInfo.judy.doc

Not Reported in F. Supp.
(Cite as: 1993 WL 483525 (E.D.La.))

In the Matter of CRESCENT TOWING &
SALVAGE COMPANY, INC.

Civ. A. No. 93-1892.

United States District Court, E.D. Louisiana.

Nov. 15, 1993.

ORDER AND REASONS

WYNNE, United States Magistrate Judge.

*1 Before the Magistrate Judge is a motion of Crescent Towing & Salvage Company, Inc. ["Crescent"], to compel the return of a privileged communication. This action involves a collision between a tug (being steered by Michael Henson) and another vessel. Henson has alleged injuries and filed a claim for damages. After investigation, Crescent's counsel prepared a twelve-page memorandum setting out synopses of interviews with witnesses and experts and discussing trial strategy and the opinions of counsel. Counsel sent the memorandum to Crescent. A union official visiting Crescent came into possession of the memorandum and sent a copy to Henson, who provided it to his attorney, who called Crescent's counsel and told him he had it. The union official, when contacted by Crescent's counsel, returned a copy of the memorandum which he had retained. Henson's counsel has refused to return his copy.

Crescent has presented affidavits from a vice president and a supervisor stating that they were the only persons at Crescent with copies of the memorandum and that they neither personally provided nor instructed anyone else to provide a copy to the union official and that they do not know how he came to have a copy. Crescent has also submitted a letter from the union representative stating that he requested information and was given the report, perhaps inadvertently. He does not state who gave it to him.

Henson's counsel did not file an opposition to this motion and does not dispute that the memorandum is privileged; but at the hearing he suggested that any privilege had been waived by the client's providing the report to the union official and that he wished to retain it for possible impeachment purposes. A copy of the memorandum was provided for in camera

inspection, which shows that it is protected by the attorney-client and work-product privileges.

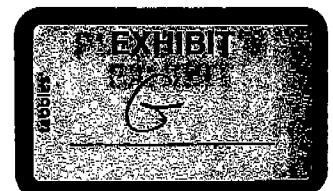
The attorney-client privilege exists to protect confidential communications and the attorney-client relationship and may be waived by disclosure of the communication to a third party. *Allread v. City of Grenada*, 988 F.2d 1425 (5th Cir.1993). However, inadvertent disclosure may or may not be a waiver of the attorney-client privilege; that determination depends on the facts of the disclosure. *Allread*, at 1433-1434.

The work-product privilege is distinct from and broader than the attorney-client privilege. *United States v. Nobles*, 422 U.S. 225, 238, 95 S.Ct. 2160, 2170 n. 11 (1975). The work product doctrine protects any document prepared by or for an attorney in anticipation of litigation; and, while the client must invoke the attorney-client privilege, both the attorney and the client may invoke work product. *In re Antitrust Grand Jury*, 805 F.2d 155 (6th Cir.1986). The work product privilege is the attorney's, not the client's. *Duplan Corporation v. Moulinage et Retorderie de Chavanoz*, 487 F.2d 480 (4th Cir.1973). Further, even if the client somehow acts to waive the privilege, the attorney may still successfully assert it. *In re Antitrust Grand Jury*, *supra*, at 164. Mere voluntary disclosure of work product materials to a third party is not sufficient in itself to waive the privilege. *Shields v. Sturm, Ruger & Company*, 864 F.2d 379, 382 (5th Cir.1989).

*2 While it is not clear how the union official came into possession of the memorandum, the submissions of Crescent indicate that the disclosure was, at most, an inadvertent act by the client. The memorandum is very clearly and obviously the work-product of the attorneys for Crescent, who assert their privilege. Based upon the facts of the matter, the Magistrate Judge finds that the inadvertent disclosure by the client does not act as a waiver of the work-product privilege. Accordingly,

IT IS ORDERED that counsel for Henson is to return to counsel for Crescent, within two days of receipt of this order, any and all copies of the memorandum which may be in the possession or control of counsel or client.

END OF DOCUMENT



UNITED STATES of America
v.
M.W. "Webb" HART, et al.

Crim.A. No. 92-219.

United States District Court, E.D. Louisiana.

Nov. 16, 1992.

ORDER AND REASONS

MENTZ, District Judge.

*1 Before the Court is the Government's Motion to Compel Defendants to Establish an Attorney-Client Privilege. Based upon evidence presented by the Government and defendants, David Walters and Craig Van der Voort, at an evidentiary hearing, the Court finds that defendants are entitled to invoke an attorney-client privilege so as to prevent disclosure of statements made by them to attorneys Ben Gill and Pauline Hardin.

FACTS

In October, 1991, subpoenas were issued by a federal grand jury, sitting in the Eastern District of Louisiana, for certain documents from the Little Rock office of A.J. Gallagher & Co. Later, two officers of the Little Rock office, Walters and his superior Jack Cowell, were summoned to produce documents and appear before the grand jury. The grand jury was investigating the payment of consulting fees to M.W. Hart by Gallagher on behalf of St. Tammany Parish. Upon learning of the grand jury investigation, the head office of Gallagher directed Ben Gill, the corporate counsel of Gallagher, to investigate. Gill interviewed several employees. Over the next several months, Gill had two telephone conversations and one meeting with defendant Walters and several telephone conversations and meetings with defendant Van der Voort. During the course of these interviews, Gill did not inform either defendant whether the company would assume their defense or whether they should employ their own counsel throughout the interviews. It was not until a February 1, 1992 meeting with Walters and a February 7, 1992 telephone conversation with Van der Voort, that Gill informed each defendant that he should get separate counsel.

Also, around December 16, 1991, Pauline Hardin and her firm were hired as local counsel for the

corporation. Hardin met with Walters and had a telephone conversation with Van der Voort. Hardin testified that she told Walters that she represented the corporation and was not his attorney. Walters and Van der Voort each testified that Hardin never said she represented the corporation and not them. Van der Voort testified that he considered Hardin as an extension of Ben Gill. Jack Cowell, who was also interviewed by Hardin, testified that Hardin never told him that she represented the corporation and not him.

Defendants have claimed an attorney-client privilege as to their conversations with Gill and Hardin. The Government claims that the only attorney-client privilege belongs to the corporation which has waived the privilege as to the investigation of this matter conducted by its attorneys.

ANALYSIS

The Court considers that defendants' belief that their conversations with Gill and Hardin were confidential was reasonable, based on the circumstances surrounding their discussions with Gill and Hardin. An attorney-client privilege attaches to communications between a client and his attorney where at least an implied relationship exists between them. *Westinghouse Elec. Corp. v. Kerr-McGee Corp.*, 580 F.2d 1311, 1319 (7th Cir.1978). This relationship "hinges upon the client's belief that he is consulting a lawyer in that capacity and his manifested intention to seek professional legal advice." *Id.* at 1319, citing, *McCormick on Evidence* (2d ed. 1972), § 88, p. 179. The relationships must be established by more than the individual clients' mere subjective belief that they are represented individually by the attorney, jointly with the corporation. *United States v. Keplinger*, 776 F.2d 678, 701 (7th Cir.1985); *Odmark v. Westside Bancorporation, Inc.*, 636 F.Supp. 552, 555 (W.D.Wash.1986).

*2 In support of their belief that they were being individually represented by Gill and Hardin, the defendants point to the indemnification provision set forth in Article VII of the By-Laws of A.J. Gallagher & Co., wherein the corporation promises to:

indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than action by or in the right of the corporation) by reason of the fact that he is or was a director, officer, employee or agent of the

corporation or is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit or proceeding if he acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the corporation, and, with respect to any criminal action or proceeding, had no reasonable cause to believe his conduct was unlawful.

Pat Gallagher, President of the corporation, stated that his general policy was that the company would protect its employees in the case of civil or criminal proceedings involving the employees.

While the indemnification provision is not dispositive of the attorney-client privilege issue, in the absence of any advice by Gill or Hardin to the contrary, defendants were justified in believing that Gill and Hardin were there to protect their individual interests as well as those of the corporation. [FN1] Also significant is the fact that the communications between the defendants and Gill and Hardin were initiated, not by the defendants, but by Gill and Hardin as part of a "factfinding" mission.

Given this background, defendants reasonably believed that, during their conversations with Gill and Hardin, they were clients of Gill and Hardin, that they

were communicating with them in their capacities as lawyers, and that they were providing legal services to them in their individual capacities, jointly with the corporation. In *Re Grand Jury Proceedings*, 517 F.2d 666, 670 (5th Cir.1975); *Upjohn Co. v. United States*, 449 U.S. 383, 396 (1981).

This Court finds that defendants, Walters and Van der Voort, are entitled to assert an attorney-client privilege as to all communications made to Ben Gill and Pauline Hardin in the course of Gill's and Hardin's investigation, preventing disclosure of those communications until such time as defendants choose to waive this privilege.

Accordingly,

IT IS ORDERED that all communications between corporate counsel, Ben Gill and Pauline Hardin, and the defendants, David Walters and Craig Van der Voort, are protected by the attorney-client privilege belonging to Walters and Van der Voort.

[FN1. The Court notes that, under Rule 1.13(d) of the ABA Model Rules of Professional Conduct, Gill and Hardin should have informed the defendants at the inception of their conversation that any revelations made by them might not be covered by the privilege in the event that Gill decided that they should obtain separate counsel, which he ultimately did advise.

END OF DOCUMENT